

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.63494-M of 2006

DATE OF DECISION:01.12.2006

Lal Chand @ Munim

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri JP Sharma, Advocate
for the petitioner.

Shri Partap Singh, Sr. DAG, Haryana.

Petitioner Lal Chand @ Munim, apprehending his arrest in a non-bailable offence in case FIR No. 274 dated 16.9.2006 under Sections 148,149,323,365,452 and 506 IPC, registered at Police Station Mahendergarh, Haryana, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

Counsel for the petitioner contends that in the aforesaid FIR, which has been lodged by father-in-law of the sister of Smt. Pinki wife of Suresh, the petitioner, who is uncle of Suresh, has been falsely implicated. In the aforesaid FIR, it was alleged that husband of Smt. Pinki, her father-in-law and the petitioner have forcibly abducted her from the house of her sister and gave beatings to her. Counsel contends that the aforesaid FIR was registered on false facts. Smt. Pinki has filed a petition for divorce under Section 13 of the Hindu Marriage Act against her husband Suresh, which is pending. Counsel further contends that a false complaint has been lodged by father-in-law of the sister of Smt. Pinky with an intention to put pressure on the husband to give the divorce. Counsel further contends that

earlier there was a compromise between the husband and wife before the Panchayat and according to the said compromise, Smt. Pinki went with her husband-Suresh and she was not abducted as alleged in the FIR.

Counsel further contends that in terms of the interim order dated 17.10.2006, the petitioner has joined the investigation. The factum of joining the investigation by the petitioner has not been disputed by the counsel for the respondent-State. He further states that now Smt. Pinky is living happily with her sister without any intervention.

In view of the aforesaid facts, the interim bail, granted vide order dated 17.10.2006 is made absolute subject to the same terms and conditions.

Disposed of accordingly.

December 01, 2006
pooja

(SATISH KUMAR MITTAL)
JUDGE